

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ERNESTO ALONSO RUIZ

Petitioner

VS.

UNITED STATES OF AMERICA

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CIVIL ACTION NO. C-09-132

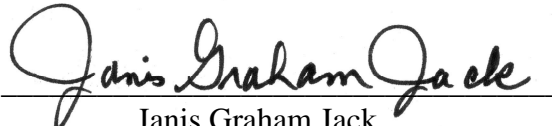
**ORDER ADOPTING MEMORANDUM AND
RECOMMENDATION TO GRANT
RESPONDENT'S MOTION TO DISMISS**

On November 17, 2009, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that petitioner's claim is unexhausted and that his petition be dismissed. Seeing no objection to this recommendation by either party and having now reviewed the recommendation, this Court hereby adopts as its own the Memorandum and Recommendation as the decision of the Court. Accordingly, it is

ORDERED that petitioner's petition is dismissed.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 16th day of December, 2009.


Janis Graham Jack
United States District Judge